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Over 1,000 Seoul Univ. Students Call for Chon's Ouster

Compiled from KCNA, AP & Kyodo

On Mar. 19, 1,000–2,000 students of Seoul National University staged an on-campus protest rally and called for the ouster of Gen. Chon Du Hwan and a resistance to the United States.

The students branded the Americans guardian of the murderous regime of Gen. Chon and rejected the allegations that they were "an eternal ally of (south) Korea." (See a full text of their Dec. 11, 1980 declaration on page 8)

The protesting students urged the earliest establishment of a reunified nation-state.

The student action came at a time when the so-called "parliamentary elections" are slated for Mar. 25 and when Gen. Chon inaugurated himself as "president of the Fifth Republic."

The student action at Seoul's most prestigious school casted in serious doubt the much-tauted claim by Gen. Chon and his American guardian that his junta is stable and in firm control.

The extent of embarrassment for the junta of Gen. Chon is clear in the words of officials. AP reported that officials said they didn't know why the students were protesting after months of political calm. (The Pacific Stars and Stripes, Mar. 21)

The Mar. 19 protest was a follow-up of the eruption of student demonstrations on the same campus on Dec. 11.

The demonstration was initiated by five students who spoke through a loudspeaker set up on the roof of the Student Hall building. Promptly, students numbered between 1,000 and 2,000 gathered and joined a demonstration. A number of students distributed handbills carrying "A Declaration of Anti-Fascist Campaign for Democracy." The text of the declaration is not available.

3,000 students cheered as the demonstrators moved around, shouting anti-American, anti-Chon slogans.

Among the placards carried by the students was one reading "Let Us Set Up a Labour Government!"

The student protestors called the "Fifth Republic" rigged up by the Chon Du Hwan junta a "fascist dictatorial regime," and strongly demanded the removal of Gen. Chon Du Hwan.

They also called for the release of all the political prisoners and those who were arrested on charges of anti-"government" activities and boycott of the parliamentary elections slated for March 25.

The student demonstrators appealed to the progressive democratic forces to respond to the struggle and demanded the guarantee of the three rights of labor.

They also called for the abrogation of the basic law on speech.

About 1,200 riot police stormed onto the campus to disperse the protesting students, firing tear gas.

The students responded by hurling rocks, injuring seven police officers in the hour-long bloody confrontation.

At least 70 students, including two leaders, were taken into custody.

AP reported that leaflets scattered among 3,000 students identified the demonstrators as "progressive" elements and called for a fight against the fascist dictatorship.

The school authorities ordered five students expelled from the campus, labelling them "the leaders who organized the demonstration."

Hit hard by the new anti-"government" action of Seoul University students, the Chon junta issued a "warning" through the president of the university.

Last May, students of almost all the universities of south Korea including Seoul National University were involved in a struggle against yusin remnants and for democracy and reunification. Photo, taken on May 15, shows Seoul National University students calling for Chon Du Hwan's ouster.

All-Star Juche Seminar Held in Lisbon

A Portuguese National Seminar on the Juche Idea and Report to the 6th Congress of the Workers' Party of Korea on the Work of the Central Committee was held on February 14 at the meeting hall of the Santo Amaro Academy of Social Sciences in Lisbon.

The seminar was attended by Francisco Da Costa Gomes, former President of Portugal, Vice-President of the World Peace Council and Chairman of the Portuguese Council of Peace and Cooperation; Vasco Da Gama Fernandes, former President of the Assembly of Portugal and law advisor to the President; Luis Manuel De Araujo, Chief of the Portugues Committee for the Study of Kimilsungism and Chairman of the Preparatory Committee of the Seminar; Ladislao Terez Botas, Mayor of Santarem, Santarem Province; Luis De Albu Querque, Vice-President of the University of Coimbra; Mario Vasco Neves, Presidnet of the White Paper Drafting Committee of the Foreign Ministry; Fernando Manuel Da Silva Martins, Deputy Mayor of Setubal; Jose Antones Ribeiro, Director of the Terceiro Mundo Magazine Office; Blasco Hugo Fernandes, International Secretary of the Portugese Democratic Movement; Gualter Basilio, member of the Assembly and member of the National Secretariat of the Portuguese Council of Peace and Cooperation; Alfredo Fernando Carvalho, member of the National Committee of the Socialist Party of Portugal and Chairman of the Cascais City, Portugal, Committee for the Independent and Peaceful Reunification of Korea; Jose Vitorio, professor of the University of Coimbra; Correia Fonte, Secretary of the Cascais City Committee of the Socialist Party of Portugal; members of the Assembly, university and college professors and figures of political parties and public organisations and members of the committee and group for the study of Kimilsungism, more than 270 in all.

The DPRK ambassador to Portugal was invited there. Luis Manuel De Araujo, Chief of the Protuguese Committee for the Study of Kimilsungism and Chairman of the Preparatory Committee

Congratulatory speeches were made at the seminar by Mr. Francisco Da Costa Gomes, former President of Portugal, Vasco Da Gama Fernandes, former President of the Assembly of Portugal and law advisor to the President, and the DPRK ambassador to Portugal.

In their speeches they noted that the Portuguese National Seminar on the Juche Idea and "Report to the Sixth Congress of the Workers' Party of Korea on the Work of the Central Committee," the first one of its kind in Portugal, was convened as a reflection of the unanimous desire of the Portuguese adherents of the Juche idea who advocate independence.

In his report made at the seminar, Mr. Manuel De Araujo pointed out that the Juche idea is the man-centered world outlook which places man above anything else and makes everything serve man.

The reporter said:

In the world outlook of Juche, the genuine man-centered world outlook, man is a human being as a social being; he is a human being not as an integral whole of vague social relations but as a social being with independence and creativeness.

Noting that the Juche idea as a man-centered world outlook strictly defends the independence of man, values his creativeness and respects his social nature, the reporter further said:

It is for his independence and creativeness that man can be a social being and he can foster and realize independence and creativeness only in the social bonds.

The Juche idea is a great declaration of independence and a true declaration of human rights in our era.

The reporter pointed out that the report delivered by President Kim Il Sung at the Sixth Congress of the Workers' Party of Korea is an imperishable encyclopedia which reviewed the overall victory of the Juche idea and indicated its bright vista.

Turning to the new epochal national reunification proposal for founding the Democratic Confederal Republic of Koryo put forward by respected and beloved President Kim Il Sung in his report, he went on:

The founding of the Democratic Confederal Republic of Koryo is a great national salvation programme for the reunification of Korea and the establishment of national sovereignty on a nation-wide scale.

The reunification of Korea must be realised under all circumstances on the basis of the three principles of independence, peaceful reunification and great national unity. The most realistic and reasonable way for Korean reunification on these principles is to bring the north and the south together into a confederal state, leaving the ideas and systems in the north and the south as they are. This is a most fair and reasonable way suited to the realistic conditions.

The immediate, important task in studying and disseminating the Juche idea is to make a comprehensive study of the report of respected and beloved President Kim Il Sung and widely disseminate it and closely combine theory with practice, and study with life, he pointed out.

He said:

Also important in studying and grasping, disseminating and propagating the Juche idea is to learn well from the experiences of Korea.

Korea is the homeland of Juche and the experiences of her people are a precious example of very universal significance.

We should pay heed to the reality in Korea and the experiences of the Korean people and obtain vivid and beneficial knowledges from them and extend resolute support and encouragement to the Korean people's cause of Juche.

A report by Mr. Luis Manuel De Araujo was followed by speeches of university and college professors, members of the Assembly and personages of professors, members of the Assembly and personages of various strata.

A letter to President Kim Il Sung was adopted at the seminar.

(KCNA)

Pyongyangites Denounce "Team Spirit '81"

"Team Spirit '81," the largest American-south Korean joint war exercise is generating "the most strained situation since the 'Pueblo' incident in 1968," DPRK vice-Premier Chong Jun Gi declared.

In his Mar. 12 speech Mr. Chong downright rejected the alleged "threat" his country poses to Washington and Seoul as a total hoax. Calling the joint military game "test war" and "preliminary war" being launched by the Americans and the south Koreans for a new Korean war, the DPRK official warned that his people "have politico-ideological and economic and military strength to drive back any aggressor at one stroke."

He was addressing a Pyongyang mass rally denouncing the new war maneuvers held on Mar. 12.

He said:

As unanimously assessed by Western military experts, too, this military gamble is a war racket of "largest scale in history" in its period and in the number of the troops and an extremely adventures and dangerous play with fire in its content and nature, too.

There are all symptoms that the "Team Spirit '81" exercise is not a mere repetition of the usual joint exercises, but is a "test war" and a "preliminary war" for practically igniting another war in Korea.

The reckless war row of the U.S. imperialists and the Chon Du Hwan clique has, in fact, driven the situation of our country into a touch-and-go danger in which a war may break out at any moment, and a most strained situation since the "Pueblo" incident in 1968 has been created.

As soon as he took office as President, Reagan summoned traitor Chon Du Hwan, the human butcher, to the White House and had a confab for aggression and war with him, totally revoked the U.S. troops pullout plan and assured the puppets of a greater military aid.

The U.S. imperialists regard the Korean Peninsula as the greater part of the armed forces hurled into the "Team Spirit '81" exercise come from Japan and bosses of the Self-Defence Forces fly directly to the operational fields and watch it with particular interest. This grim reality proves that the Japanese reactionaries are zealously joining the U.S. imperialists in the aggressive manoeuvres in Korea.

Though the U.S. imperialists are attempting to threaten our people with the adventurous war provocation racket from the position of strength, this is no more than the last-ditch efforts of the warmaniacs and their anachronistic dream. Our people have politicoideological and economic and military strength to drive back any aggressor at one stroke.

Much Understanding of DPRK Society

—By American Quakers—

From September 2 to 13, 1980 three persons of the American Friends Service Committee (AFSC) visited the DPRK at the invitation of the Korean Society for Cultural Relations with Foreign Countries of the DPRK. Members were Stephen Thiermann, Quaker Representative at United Nations headquarters, and Maud and David Easter, Co-Representatives of the AFSC based in Tokyo.

Their brief report was already published on the No. 1,012 issue of The People's Korea last year (Sep. 27, 1980). Here is a more detailed report which was made public by the AFSC after they concluded a speaking tour across the United States.

Follow highlights of the report

Political Context

We entered Pyongyang, the capital of north Korea, on September 2, recognizing that we were visiting a communist state in which planning and ownership of the means of production is centralized and that the party is the dominant political force in the country. One of our most interesting discoveries, however, was of a number of distinctive features of socialism as practiced in north Korea.

North Korea's philosophy, Juche, roughly defined as self-reliance, is often dismissed in the west as mere rhetoric, but we saw that it permeates the society and is of great interest to many developing countries. For example, on our plane from Beijing to Pyongyang there was a delegation from Zimbabwe, headed by the Minister of Information, who was visiting to study north Korea's system of rural mass communication. North Korea has developed a more self-reliant economy than most other countries. Its emphasit on basic self-sufficiency has led to a non-aligned foreign policy that means it is much less influenced by the Soviet Union and China than is generally recognized in the United States.

North Koreans have a self-confidence and an optimism for the future articulated as a belief that man is the master of all things. They appeared to us to have a strong faith in the benefits of technological development.

North Korea invests substantial resources in services for its children, as we saw vividly in our visits to educational institutions. We heard repeatedly the saying, "Children are the king of our society." Considerable stress is paid in all schools to what educators refer to as teaching good morals: honesty, the value of work, cooperation, respect for elders, social etiquette and discipline.

People's Lives

People generally appeared to us to be in good health, hard working and proud of their society. Family life is very important. People live in nuclear family units or sometimes in three-generation families. Apparently nearly every adult marries. We were told no contraceptives are available. In Pyongyang most families live in apartment houses ranging from four to twenty stories. Some rural cooperatives have multistoried housing, but the cooperative we visited had one-story, single family houses. We were told that housing is very inexpensive with most families paying 1% or less of their income for rent and utilities.

Women

We were very interested to learn of women's roles in the society. According to traditional Confucian thinking, Korean women were very much second class citizens. It appeared to us that women in north Korea have made major gains since 1945. Women now make up approximately 48% of the work force. However, there is a definite concept of "women's work," with the major fields of women's employment reserved to medicine, teaching, and working in light and service industries. At meetings we were always served soft drinks and coffee by women. Yet we also saw women in non-traditional roles such as machine operator and truck driver.

Women are expected to work two jobs, also being responsible for cooking and cleaning at home and raising children. The emphasis is not on sharing this work with men, but on the society's providing takeout food stores, laundries and child care facilities to make women's lives easier.

There are women in leadership positions. One fifth of the national assembly is said to be female and there are 900 women chairpersons of cooperative farms. 200,000 of the country's one million adults with higher education are women.

Social Organization

To individualistic American eyes, north Korea is a very organized society. For example, all married women belong to the Women's Union and all youth over 14 belong to the Youth League. People think in terms of group and societal interests. Steve Thiermann had lived in Switzerland and kept making comparisons: well-disciplined children, subdued public behavior, prohibition against strikes, and a highly organized military. Maud and David Easter, having lived in Japan, saw similarities to Japanese company loyalty, group outings and children all wearing school uniforms.

Life in north Korean cities is very much neighborhood centered. We were told that the lowest unit of community organization is the "*ban*" which consists of an apartment house or half an apartment house. The leadership is elected and rotated. The "*ban*" organizes educational sessions, takes care of the neighborhood playground, and is responsible for cleaning the sidewalks and street in front of the apartment house.

Health care is organized on a sectional system with each doctor responsible for a particular work group or neighborhood. Elementary school children are in a class with the other children their age from their neighborhood. They have the same teacher for four years, walk back and forth to school together, and even attend summer camp together. They obviously get to know each other very well.

We were intrigued to hear that each neighborhood has a recycling center where people are paid small amounts for bottles, cans, paper and rubber they bring in. Even food scraps are collected to be used as compost by agricultural cooperatives.

Photo shows a part of the No. 2 integral production workshop of the Taean Heavy Machine Complex in S. Pyongan Province which produces generators, thermal and hydraulic, and plants for heavy industry and chemical production.

City Planning

North Korean cities were nearly leveled during the Korean War by U.S. bombing. Consequently Pyongyang has a very new look. It is a carefully planned city with wide streets and numerous beautiful parks. There are many impressive public buildings. Several we saw were lavishly appointed inside. Among the buildings under construction were a large modernistic indoor ice skating rink and a massive cnetral library with traditional Korean style architecture. The city of Nampo appeared similar to Pyongyang with people living largely in apartment buildings. Visitors from a United Nations' agency who had traveled widely in north Korea told us that other cities were modeling their growth on Pyongyang and, while not yet up to the same standard, showed evidence of the same orderliness, cleanliness and a great deal of building activity. We could not help but think that north Korea would be very hesitant to start another war and risk the obliteration of all this construction and the expenditure of human energy it represented, as well as the lives of its citizens.

Standard of Living

North Korea has a considerably higher standard of living than China. Ordinary people were neatly and cleanly dressed but we suspect that they do not have extensive wardrobes. Basic foodstuffs are quite inexpensive but other special foods seemed costly. The homes we visited had color TV's. We saw many TV antennas and were given the impression that most families have at least a black and white TV. The homes we visited also had small refrigerators and sewing machines. The average salary is 90-95 won per month and most families have two wage earners.

People told us that they had personal savings. Young people apparently prefer to bank in accounts that operate as a kind of lottery. Little or no interest is paid but there is the possibility of drawing a large cash payment. Older people prefer the type of account which gives them regular fixed interest on their savings.

Recreation

Our stereotype of north Korea as a very much nose-to-the-grindstone society had to be modified as we rode the roller coaster in an amusement park, visited the zoo, and walked through a large park where families were picnicking on a national holiday.

Our impression that north Korea had a constant barrage of propaganda polemics was called into question as we watched one of the most popular films in the country, "The Tale of Chunhyang," an extremely sentimental romantic story shot in vivid color with much attention to the beauty of nature. The film opened with a dedication to love, and dealt with the evils of feudalism but did not have a revolutionary theme. The heroine's major strength was her willingness to endure passive suffering to protect her honor and that of her husband. The evil feudal leader was brought down and the heroine saved by an agent of the royal secret police acting in the name of the king!

Education

Eighty percent of the country's pre-school children are in nurseries. The nurseries we saw at a factory and agricultural cooperative appeared very well-staffed, well-equipped and clean. Since 1972, north Korea has provided 11 years of free compulsory education. After nursery school children have two years of kindergarten and then four years of elementary school, followed by five years of upper school. The elementary school we visited had a teacher-pupil ratio of one to twenty. Classes based on textbook learning are in the morning, with no specialization based on ability. In the afternoon, both in elementary and high school, students select "circles" or groups of special personal interest, in a wide variety of areas such as biology, sports, tractor driving or cooking. These classes are for learning experimental or practical skills.

Similar classes are held at the Children's Palace run by each city and province. The Pyongyang Children's Palace has rooms for 10,000 students each afternoon, teaching 200 different courses.

After high school some students attend five-year colleges or three-year technical schools, which are also free. Entrance is based on competitive exam. Of a total population of 17 million, about one million have now received advanced training. There also appears to be a very strong emphasis on adult education, with factory colleges, adult classrooms in agricultural cooperatives, and correspondence courses.

Health Care

In the health care field, north Korea emphasizes preventive medicine. We were told that every person receives a medical examination at least every six months. While this is excellent, we were disturbed to learn that x-rays are given at each of these exams. Each person has two regular doctors: one for the neighborhood and one for the work place or school. All medical care, including what seemed to us to be very sophisticated hospital treatment, is free.

Self-Reliant Economy

North Koreans are proud of building a relatively self-reliant economy. They do not want to become dependent on other countries. Ninety-five percent of north Korea's energy supply is met by its own coal and hydroelectric resources; given the world energy crisis, the country is in a very favorable position. Trains, the subway and most local buses run on electricity, not gasoline. Automobiles are few. The major synthetic fabric in the country, vinalon, is made from locally available coal and limestone. Fertilizer is coal-based not oil-based.

A glass factory we visited in Nampo illustrated the concept of self-reliance. All the raw materials were local. Each province in the country has a similar factory to supply the glassware needs of that area. The Nampo Glass Factory sells half of its production locally and exports the other half to Europe, Asia and Africa.

We were in fact surprised by the amount of foreign trade undertaken by north Korea. While there is much emphasis on locally made machinery, we saw a great deal of imported machinery including highly automated Japanese equipment at a textile factory. We saw a hospital using very expensive computerized medical equipment made by Siemens of West Germany. We saw a beauty parlour using Clairol hair spray and also saw Maxwell House instant coffee for sale.

In fact when officials talked about Juche (self-reliance) we were surprised that their main concern was to emphasize that Juche does not mean an isolated economy. They seem more than eager to trade on the basis of mutual need. In Pyongyang, we discussed north

(Continued on page 3)

(Continued from page 2)

Korea's much publicized trade imbalance and resulting debt problem with a Japanese businessman working for Mitsubishi. He said that from his point of view, business with north Korea is good, the debt with Japan has been renegotiated and it is not a problem.

We were particularly impressed with north Korea's agriculture. Eighty-five percent of the country is mountainous, and what is now north Korea had traditionally been dependent on rice grown in the southern part of the peninsula. We talked with international agricultural experts who support north Korea's claims that it has achieved agricultural self-sufficiency and ranks with Japan as the top producer of rice per hectare in the world. A unique system of transplanting corn is used and the corn average yield per hectare is greater than that in the United States. Both irrigation and electrification have reached throughout the countryside. Mechanization seems to be increasing rapidly. Some observers cautioned that an excessive amount of fertilizer may be used currently.

DPRK in Family of Nations

North Korea is often described in the United States as an isolated country. It was clear to us that this is not the case. North Korea has diplomatic relations with 102 countries, with Sweden, Indonesia and Egypt among those with resident ambassadors in Pyongyang. On our plane from Peking to Pyongyang were an Air France representative, a Hungarian doctor, the Zimbabwe information specialists, some eastern European athletes, and delegations from Japan and China.

We met with a Swiss businessman whose company has traded with Pyongyang for 25 years. North Korea sells fish to Egypt and rice to Indonesia. It is a major world supplier of magnesium and also exports large amounts of copper. The United Nations Development Program has recently committed itself to projects in north Korea. A Food and Agricultural Organization delegation, visiting at the same time we were there, is considering various undertakings with north Korea including organizing study tours to various countries during the coming year.

North Korea has been active in the movement of non-aligned countries. At the last conference in Havana, it stressed the importance of the movement's remaining independent and urged the dismantling of military blocs. Since the Sino-Soviet split in the late 1950's, north Korea has carefully balanced involvements with its two giant neighbors, China and Russia, and is adamant that its own actions are independent. Officials repeatedly stressed to us their view that a unified Korea should remain neutral, independent and non-aligned as well. (Subtitle is ours . . . .Ed.)

Religion

Several people told us that there are virtually no remaining Christians in north Korea. There are some older people who are still practicing Buddhists. At a small restored Buddhist temple near Pyongyang we discussed the role of religion. One man told us about his grandfather whom he as a young child used to accompany to church. One day during the Korean War, his grandfather prayed in church that the killing would end. On the way home, he was seriously wounded in an American bombing raid. As he lay dying he made one request to his children, "Don't allow your children to go to church." We could understand that the devastating bombing by the United States, seen by converts for many years previously as a friendly Christian country, must have had a real effect on believers.

(Subtitle is ours . . . . Ed.)

Misperceptions and Real Obstacles

Because of the lack of U.S.-north Korea governmental contact, exchange of accurate information between our two societies has been minimal. Much of the information available to Americans has come from the U.S. government. Having earlier been told by American government officials that their picture of north Korea draws heavily on information provided by the hostile south Korean government and by the CIA, we were glad to have this experience of first-hand observation ourselves, and to find the many very common human strengths and failings we share with north Koreans.

As a result of our visit, we feel that certain American perceptions of north Korea are inaccurate: It is not "a completely isolated country;" There is more than "one leader;" Kim Il Sung's thinking and actions as reflected in the society do not seem to us to be "irrational;" and north Korea does not appear to be "a puppet" of either China or Russia.

Perhaps most importantly, the image of north Korea as an aggressor state ready to invade the south at any moment is not consistent with our observations. After the enormous work of reconstructing and industrializing their country following the Korean War, the north Koreans feel a major stake in peace on the peninsula and have strong reasons to pursue reunification through negotiations.

From our conversations we also recognized that there are real structural obstacles which prevent to make the reunification process very difficult. There are entrenched military interests on the Korean peninsula, on the part of south Korea, north Korea and the United States. American corporations have a stake in maintaining a government in the south which will ensure markets and manufacturing sites for foreign interests. The U.S. government has backed repressive governments in south Korea for years in order to protect military and economic interests. Although Japan has growing trade with the north, its vast economic involvement is in the south, so that the Japanese government has supported U.S. policies toward the peninsula. It will be difficult to end the tragic situation in which Korean lives are significantly shaped by great power rivalries. Furthermore lowering the distrust between north and south Korea, based in part on years of intense propaganda, will be extremely problematic.

DPRK's Proposals

Nevertheless, every avenue for peace and reconciliation must be explored lest a new war break out. Having just returned from Pyongyang, we would like to share our understanding of north Korea's proposals for tension reduction between north and south for reunification, and for improvement in north Korea-U.S. relations. Our understanding is based principally on our discussions with Kim Young Nam and Hyun Jun Gook, mentioned above.

Regarding tension reduction, the north Koreans reaffirmed their willingness to proceed unconditionally with reunions of divided families and exchange of correspondence. They said that these could take place immediately, from their perspective. They also reasserted their willingness to undertake economic and cultural exchanges with south Korea without preconditions.

Despite reports to the contrary at the time of a visit earlier in the year by Congressman Stephen Solarz, officials stated to us that north Korea's proposal still stands for mutual troop reductions to the level of 100,000 on each side, or less. On the agreement of both sides, north Korea would remove military personnel and facilities from the Demilitarized Zone.

North Koreans favor reduction of military expenditures on both sides and an end to the introduction of weapons from foreign countries. The continued supply of weaponry is making the situation more complicated with each passing day. North Korea also proposes to conclude a non-aggression pact between the north and south.

North Korea is committed to the eventual reunification of the peninsula but, recognizing the extremely difficult problem of bringing together two different economic and political systems, they are proposing a Confederation as a first stage. They envision a Confederation in which the existing economic, social and political systems of the north and south would remain as they are. We were specifically assured that from their point of view foreign investment in the south could not only continue but be increased under Confederation. Under Confederation they insist that each side must not interfere in the other side's internal affairs, must not impose its view on the other side, and people should be free to live wherever they want.

Under Confederation, north Korea proposes that a national commission composed of an equal number of representatives from the north and south would seek agreement on economic collaboration, on strengthening the bonds of the national culture, and on joint diplomatic representation. This national commission would also discuss how to conduct military affairs in a unfied way. An official said that it is the attitude adopted toward solutions of these problems which will be crucial.

On the question of U.S.-north Korean relations it is evident to us that they not only favor cultural exchanges but are willing to explore the idea of reciprocal trade. In their view the function of any trade with the United States would be more important as a tension-reduction measure than to meet the needs of their own economy. They would also be prepared for direct government-to-government talks. They reiterated their position that it would be appropriate for south Korea to participate as an observer in any talks in which the south would be affected, but they say it would be necessary and reasonable for the United States and north Korea to confer jointly to decide which areas of discussion would require the involvement of the south. The north has said there are various forms in which talks with the United States could take place.

North Korean officials told us the paramount issue in their minds is to change the Korean War Armistice Agreement into a peace treaty. They feel this will require withdrawal of all U.S. military forces, but we did not succeed in learning their ideas on timing of troop withdrawals. It is important the north attaches to progress on achieving a peace agreement was underlined by Kim Il Sung's recent statement as reported in the Japanese press that his country would abolish its military alliances with the Soviet Union and China if the present armistice agreement was replaced by a bilateral peace treaty and reunification achieved.

In our view these proposals of north Korea should be taken seriously. If the United States and south Korea do this, further negotiation will reveal the degree of the north's sincerity.

(Subtitle is ours . . . . Ed.)

Caveat

In this report we have attempted to share with you the impressions from our trip. As we mentioned at the outset, because of the limited nature of our visit, we cannot be sure that the things we saw are representative of the entire country. Much of what we have reported is based on what we were told by various individuals. Future visits may reveal that on some points we either misunderstood or were only given a partial picture. Nonetheless, we feel our visit has given us a much fuller understanding of the nature of north Korean society than we possessed before.

AFSC sent a delegation to China in 1972. In the intervening years many of the observations made by the delegation have been borne out by more detailed inspection. Time has also shown that there were dark sides of the Cultural Revolution, then in progress, that the delegation was simply unable to see. We must assume that as there is more contact between the United States and north Korea we will be able to see both the positive and negative aspects of their society with increasing clarity.

But among the things we are certain of at this time is that north Korean officials very much want to improve relations with the United States. During our visit, we were encouraged to hear a number of leaders say, "Yesterday is yesterday, and today is today. Let's look to the future and not to the past."

Recommended United States Policy Changes

The experiences of our trip lead us to see the following changes in U.S. policy as essential, and we recommend that the AFSC work for them.

We favor direct government-to-government talks between the United States and north Korea, because where the parties at conflict are national units, any solution must ultimately be sanctioned by officials who have the direct responsibility for the outcome. In the past the United States has conducted official talks with the parties with whom it has been in conflict and presently cuts itself off only from a few major bodies in the world, notably north Korea and the Palestine Liberation Organization. Items for bilateral discussions between the United States and north Korea could include: concrete proposals for graduated steps in tension reduction, such as facilitation of reciprocal exchanges and troop withdrawals; an agenda for peace treaty talks, including the role of south Korea; and exploration of mutually beneficial trade.

Women play an important role in the DPRK. They account for nearly 48 percent of the work force of the country. They work at various workplaces including service facilities and factories. Many are professionals. Photo shows women architects discussing a city construction project.

An experienced observer of Korea has written, "The United States seems to favor democracy at home but not abroad." We urge the United States to maintain communication but to discontinue support for countries where there is a pattern of gross violation of human rights. The United States has been supporting such a government in south Korea. Steps that could be taken in regard to south Korea should include: ending military aid including Foreign Military Sales credits; ending economic aid such as PL480 loans and U.S. Commodity Credit Corporation loans; and ending governmental support for corporate relationships, such as Export-Import Bank loans and Overseas Private Investment Corporation (OPIC) insurance.

1981 is the time President Carter has set for reassessment of the appropriateness of the presence of U.S. troops on the Korean peninsula. This review should be used as an opportunity for the United States to bring to an end its military presence in Korea, now 27 years after the end of the Korean War. The military forces of north and south Korea are basically equivalent without the presence of the U.S. troops. The south is not defenseless. It has twice the population and twice the GNP of the north. In addition to the fact that U.S. troops in Korea might precipitate the United States into a major armed conflict, there are human tragedies on a large scale associated with base life such as prostitution, subservience and corruption.

The current U.S. policy, to work for a "German solution" to the conflicts associated with a divided Korea, is at odds with the wishes of most Koreans, both north and south, who want to see their country reunified. A public opinion poll published in the south Korean newspaper, Chosun Ilbo, March 5, 1980, showed that 81.5% of those interviewed believed that south and north Korea should be unified. Democratic figures in the south Korean opposition movement have called for a staged reunification of the country. There is a passionate sense of national and cultural identity which transcends ideology. As a north Korean spokesman said to our delegation, "We are communists, but we give priority to the idea of nationalism, not communism." Families north and south yearn to be reunited, even only to be allowed to correspond with one another. Given its own tragic Civil War history, we feel the United States especially should understand and endorse Koreans' desire for a peaceful reunification of their country.

Amnesty Int'l Report:

Violations of Human Rights in South Korea

Follows a gist of the London-based Amnesty International in depth analysis report on "Violations of Human Rights in South Korea," a zeroxed copy of which was obtained by the courtesy of an American peace activist.

★ ★

Political Imprisonment, Torture and the Death Penalty

Amnesty International's concerns over the violation of human rights in the Republic of Korea have remained constant in recent years in spite of various legal changes and changes of government. After 17 May 1980, when nationwide martial law was declared and mass arrests took place according to some reports up to 1,200 civilians died during clashes involving the security forces in the city of Kwangju in May it noted a rapid deterioration in human rights. It has the names of 545 political prisoners now believed to be detained in the Republic of Korea, many of them prisoners of conscience; a number are under sentence of death.

The organization's concerns in the Republic of Korea are:

- Imprisonment of people for exercising their right to freedom of expression by criticizing the government.
- Frequent and serious irregularities in the judicial process which gravely limit defendants' opportunities to prepare and present an adequate defence. Such irregularities include incommunicado detention; harassment of defence lawyers; the use as prosecution evidence of incriminating statements obtained under duress; trials of civilians by military courts (for martial law violations) and trials *in camera*.
- Detention for up to several months without formal charges. People known to have criticized the government may be held in police stations and army camps, they have also been detained in hotel rooms or placed under house arrest.
- The death penalty. Amnesty International knows of 10 political prisoners under sentence of death at the time of going to press. The death sentence has also been imposed for murder. Concern about the application of the death penalty is heightened because in 1975 eight prisoners of conscience were executed immediately after the Supreme Court had confirmed their sentences and before they were able to pursue other legal resources for appeal.
- The use of torture, usually during the period of interrogation, to force prisoners to make false statements; torture is also used as a means of intimidation.

At the end of July 1980 the South Korean authorities refused entry to an Amnesty International mission that wished to meet government officials and private people to investigate reports of serious human rights violations in the country.

The proposed visit followed reports that hundreds of political prisoners had been arrested in recent months; that the whereabouts of many had not been disclosed by the government and that prisoners had been held incommunicado and tortured. The mission wished to investigate these reports and inquire into the judicial proceedings and treatment of political prisoners convicted before the wide-ranging arrests that followed the imposition of full martial law, as well as the subsequent arrests of journalists, university professors, members of the National Assembly (legislature), lawyers, clergymen, human rights activists, and hundreds of students detained after demonstrations in Seoul, Kwangju and other cities.

Recent events in the Republic of Korea

Under Article 53 of the 1972 Yushin Constitution, the President was empowered to take "necessary emergency measures" when "national security or the public safety and order is seriously threatened or anticipated to be threatened". The constitution guaranteed the rights of freedom of speech, assembly and association, but included the proviso "except as provided by law".

In 1974 President Park promulgated a series of emergency regulations under Article 53 and several hundred people were imprisoned for violation of the regulations, before they were lifted in August 1974. A further emergency regulation, No.9, was promulgated in May 1975 and was still in force when President Park died in 1979.

Emergency Regulation No.9 (ER9) prohibited criticism of the government or of the constitution; it prohibited reporting such criticism and banned political meetings and demonstrations. Most prisoners of conscience adopted by Amnesty International between 1975 and 1979 were convicted of violations of this regulation.

In addition, the 1961 Anti-Communist Law and the 1960 National Security Law were (and the later still is) widely interpreted, so that those peacefully expressing criticism of the government could be prosecuted. A further measure, the Public Security Law, was passed by the National Assembly in July 1975; it was designed to "control anti-state criminals and espionage agents for North Korea even after they have finished prison terms". The Public Security Law still in force allows three degrees of control and supervision of those previously convicted under the Anti-Communist Law and the National Security Law: surveillance or "protective supervision"; restricted residence in city or county; and "security custody" in jail. In this last form it can be used to keep some political prisoners in custody after their sentences have expired.

Martial law was imposed on the whole country, except Cheju Island, immediately after President Park's assassination. In spite of this many people who had been advocating increased democratic and human rights in the republic saw this as an opportune time for reform.

The new President and former Prime Minister, Choi Kyu-hah, elected on 6 December 1979, took a number of immediate steps in favour of human and democratic rights. They included releasing the dissident leaders YUN Po-sun and KIM Dae-jung from house arrest; rescinding Emergency Regulation No.9 and releasing prisoners held under the measure; opening discussion on the reform of the constitution and promising elections for the presidency and National Assembly. However, the nature of President Choi's election proved controversial. After President Park's death various groups involved in the democratic rights movement issued statements calling for the immediate reform of the Yushin Constitution and for direct presidential elections. Although the government proposed popular discussion on the constitution, they proceeded to elect a new president under the indirect system of the Yushin Constitution.

The authorities took repressive measure, including imprisonment, against some of those who demanded wider reform. For example, in November 1979 two former prisoners of conscience, LEE Bu-young and the Reverend YUN Ban-ung, were arrested for violations of the Martial Law Regulations after they had issued statements advocating more rapid constitutional reform; they were sentenced to three and two years' imprisonment respectively on 5 December 1979, although the Reverend Yun was later released.

A meeting on 24 November 1979 at the Young Women's Christian Association in Seoul to protect against the proposed indirect presidential elections was broken up by the police. They detained 123 people; some were taken to the Army Security Command investigation centre, where they were reportedly severely and systematically beaten. Later, 62 of those detained were given Summary Court sentences and 18 formally indicted for violation of the Martial Law Regulations.

Nonetheless, there were noticeably fewer arrests between December 1979 and April 1980 than under the rule of President Park. Vigorous public debate on the revision of the constitution was conducted in an atmosphere of optimism that repressive elements of the Yushin Constitution would be rescinded. On 29 February 1980 President Choi announced the restoration of civil and political rights for 648 former political offenders, including Kim Dae-jung and Yun Po-sun. Many students and professors who had been expelled from universities for political activities were allowed to return. People convicted under the Anti-Communist Law, however, were not included in this measure.

Despite legal restrictions on collective action and bargaining, there was a sharp increase in the number of labour disputes between January and May 1980. By the end of April over 700 disputes had occurred, most involving claims for overdue wages. Industrial action was also aimed at wage increases, better working conditions and the removal of employers' representatives from union positions.

The government intervened only where disputes involved violence; at the beginning of May about 160 workers accused of rioting or damaging factory premises were being investigated by the police. At a rally on 13 May 1980, sponsored by the Federation of Korean Trade Unions, some 2,000 workers called for the full constitutional guarantee of labour rights, the reinstatement of workers dimissed for trade union activities and the immediate release of the workers under investigation.

During March 1980 demonstrations began on a number of university campuses. Initially the students demanded academic autonomy and the dismissal of university staff associated with President Park's government, and protested against the plans for intensifying military training drill for students. By early May 1980 the disturbances had spread, and demands were made for an end to martial law; democratic elections to take the end of the year; freedom for trade unions; an end to press censorship; and the resignation of General CHUN Doo-hwan (head of the Army Security Command and Acting Director of the Korean Central Intelligence Agency), President Choi Kyu-hah and the Prime Minister, SHIN Hyong-hwak.

On 14 and 15 May 1980, tens of thousands of students clashed with the police in Seoul and major provincial cities. KIM Young-sam, the leader of the main opposition party, the New Democratic Party, and Kim Dae-jung appealed to the students to exercise self-restraint. KIM Jong-pil, leader of the government Democratic Republican Party, and Kim Young-sam made it clear that their parties intended to vote for the repeal of martial law in the National Assembly. Under Article 54(5) of the Yushin Constitution such a vote by a majority of the Assembly would require the President to repeal martial law. On 16 May students in Seoul called off their protests but demonstrations continued in some provincial cities.

Other groups supported the students' demands. On 15 May 1980, a group of 134 intellectuals, including scholars, journalists, religious leaders and writers signed a declaration calling for the repeal of martial law, immediate constitutional reform and elections, and press freedom.

All reference to the declaration was censored from the press by the military authorities. Many journalists expressed their disapproval of such censorship and reiterated their demands for freedom of the press.

On 17 May the Journalists Association of Korea protested to the military authorities that censorship was being used to manipulate public opinion and consolidate the control of the military over the country. The journalists announced that from 20 May they would stop submitting stories for censorship.

Describing how censorship had affected reports of the recent student demonstrations, the Journalist Association of Korea stated that "the media were forced to report only negative and destructive aspects and were prohibited from reporting positive aspects, such as that they were ordered and justified". Slogans used by the students indicating that they were still strongly anti-communist were deleted from reports by the censors. The number of students arrested or injured was not allowed to be published—but newspapers were allowed to print the number of police casualties.

Justifying the declaration of nationwide martial law on 17 May 1980, the Martial Law Commander LEE Hui-sung said: "The whole country is now under a state of emergency, considering the current moves of North Korea and disturbances throughout the country." Martial law was strengthened by the following measures:

- All political activity was banned, including any assembly or demonstration for political purposes. This included the closure of the National Assembly.
- Universities and colleges which had reopened were closed temporarily. (This provision was lifted in September 1980.)
- "Strikes and absence from work without good reason" were banned.
- To the prohibition on "spreading groundless rumours" was added "the act of slandering the former and present heads of state and the use of declaration and language in the same vein as used by the North Korean puppets; and any other agitating remarks and acts corrupting public order at public meetings will not be permitted."

The martial law declaration was followed within hours by the arrest of student leaders and others involved in the movement for democracy and human rights. Among those detained were a number of former prisoners of conscience, including Kim Dae-jung, a leading candidate in the promised presidential elections; the Reverend MOON Ik-hwan; the Reverend LEE Hae-dong; the poet KOH Eun; Professors LEE Moon-yung and SUH Namdong; the former lawyer, HAN Seung-hon, who was Executive Director of Amnesty International Korea Committee.

Estimates of the number of people arrested varied greatly, but Amnesty International has the names of more than 200 who were held for investigation or charged with violations of the Martial Law Regulations.

The following day, 18 May 1980, a student demonstration took place in Kwangju. The students, from Chonnam and Chosun Universities, were demanding the immediate end of martial law; the resignation of General Chun; the release of Kim Dae-jung and other political prisoners; the commutation of the death sentence against KIM Jae-kyu (President Park's assassin) and his four co-defendants (all five were executed on 24 May). The demonstration ended in considerable violence after the dispersal of the crowd by paratroopers. They are reported to have attacked the demonstrators with indiscriminous brutality, stabbing them with bayonets, kicking them and beating them with rifle butts. At least 40 people were killed.

In the ensuing days there were continuing clashes with the troops; over 300,000 people, including students, are said to have been involved. By 21 May the demonstrators were virtually in control of Kwangju. The next day local citizens and students formed a committee to restore order and collected arms captured from the military.

On 27 May the army retook the city, again with great brutality. The Martial Law Command reported that 144 civilians, 22 soldiers and four police officers were killed during the disturbances. Reports from other sources put the number of civilian dead at 1,200, with many more injured or missing.

Reports of the events in Kwangju were effectively censored from the press by the military authorities. They described the Kwangju incident as "an unprecedented tragedy" and stated "the military refrained from exercising even the slightest degree of self-defence for fear of unnecessarily aggravating the situation and causing casualties on the part of innocent citizens".

According to other reports, the violence used by the troops against the demonstrators on 18 May horrified and angered other citizens and students in Kwangju and provoked further violent confrontations with the troops. Amnesty International has received

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reports and eyewitness accounts from many sources about the actions of the troops on 18 May. The reports include allegations that:

- paratroopers indiscriminately clubbed people on the head, and stabbed them with bayonets;
- female students were forced to strip naked—some of them being stabbed to death;
- injured students were dragged through the streets;
- soldiers had followed a wounded student into the hospital and beat up the nurses who were going to treat her;
- many of the dead were shot in the face;
- a girl student, stripped and tied to the fountain in front of Kwangju's railway station, had her breasts cut off before she was killed.

On 31 May 1980, the Martial Law Command released a statement on the Kwangju disturbances in which they alleged that the incident had been started by students at Chonnam and Chosun Universities who had been "manipulated and agitated by Kim Dae-jung". This charge was central to the indictment against Kim Dae-jung published on 4 July, in which he was accused of being the organizational and financial force behind both the student demonstrations before 17 May and the Kwangju insurrection. He and 23 people alleged to have aided him stood trial before a Military Tribunal on 14 August. On 17 September he was sentenced to death. The sentence was confirmed by the Military Appeal Court and the Supreme Court, but was commuted to life imprisonment by President Chun Doo-hwan on 23 January 1981.

The Prime Minister and Cabinet resigned on 22 May 1980. The formation of a 25-member "Committee for Emergency Measures for National Security" was announced on 31 May, headed by Major-General Chun Doo-hwan. It was described as being designed to advise and assist President Choi and to facilitate coordination between the Cabinet and Martial Law Command.

The new committee initiated an extensive "purification movement" said to be intended to eradicate "power linked irregularities and social evils". Part of this program resulted in the dismissal for "corruption and inefficiency" of members of the National Assembly, government officials, civil servants, KCIA officials, teachers and education officials, journalists, bank and company employees. In August it was announced that the drive had been extended to include "hooligans, drug-pushers, smugglers, swindlers, extortioners, thieves and habitual gamblers." In October the authorities reported that over 46,000 people had been detained, 2,000 of whom were still in custody, with 10,500 undergoing forced labour or corrective education, and the rest released. On 28 November the detention of a further 1,200 people in Seoul was reported. It is not known whether all of these detentions were prompted by overt criminal acts, or whether those in custody were given legal assistance.

About 380 journalists were dismissed and at least 17 arrested between May and August 1980 for violations of the Martial Law Regulations, and, in some cases, the Anti-Communist Law. In July, five Korean journalists working for major foreign newspapers were detained for investigation for several days. On 1 August the authorities revoked the publishing licences of 172 periodicals, only a few of which were clearly political. Strict censorship and control of all aspects of the media by the authorities continues. In November 1980, the government announced a major reorganization of the news media including the merger of two privately owned broadcasting companies into the state-run Korean Broadcasting System, the formation of a single news agency and reduction in the number of daily papers.

On 16 August 1980 President Choi resigned. On 27 August Chun Doo-hwan became President under the unamended Yushin Constitution.

Martial law was eased on 17 October, effectively reducing the power of the Martial Law Commander, and a referendum on the new constitution was held on 22 October.

The authorities have said that the new constitution is significantly more liberal than the Yushin Constitution, since it limits the President to a single seven-year term; restricts his authority to assume emergency powers; strengthens guarantees of fundamental rights. It prohibits people being punished for their relatives' actions; declares confessions obtained through torture inadmissible as evidence in court and gives a limited right of *habeas corpus*. Fundamental rights are not described as "limited by law", as in the Yushin Constitution, but may still be restricted "when necessary for national security, the maintenance of law and order or for public welfare" as long as "no essential aspect of the freedom or right shall be violated" (Article 35). The election of the President is still by an indirect electoral college. The previous National Assembly and all existing political parties are abolished.

The new constitution was approved by 92 per cent of the votes cast in a referendum on 22 October 1980; 95.5 per cent of those eligible to vote did so. The constitution was promulgated on 27 October 1980.

Following the abolition of the former National Assembly, its functions are being carried out by a 70-member Legislative Council for National Security—an extension of the Committee for Emergency Measures for National Security founded in May 1980.

On 7 November 1980 President Chun appointed a committee to screen all politicians and political activists; those considered "conspicuously responsible for political and social corruption and chaos" were to be banned from political activity for eight years. Altogether 825 people were banned, including Kim Dae-jung, Kim Jong-pil and Kim Yong-sam, and 210 of the 230 members of the last National Assembly. In late November 268 people successfully appealed against the ban on them.

Some steps have been taken to allow more political activity. On 21 November the Martial Law Commander announced that the ban on political meetings imposed in May 1980 would be lifted to allow meetings for creating or operating political parties. By late January 1981, 15 new political parties had been registered, including the Democratic Justice Party, led by President Chun; the Democratic Korea Party, based on the former opposition New Democratic Party and the Democratic National Party, formed by supporters of the late President Park.

In January 1981 the government announced that the presidential elections—to be held through a 5,278-member electoral college—would be moved forward to 25 February 1981 and elections for the new National Assembly to March 1981.

Martial law was lifted on 24 January 1981.

A number of changes in the legal system were introduced by the Legislative Council on 29 November. Stiffer penalties—with a maximum of seven years' imprisonment—were announced for assemblies and demonstrations "harming public order or fanning social unrest": in January 1981 the Anti-Communist Law was abolished although clauses banning activities in support of North Korea have been incorporated into the National Security Law.

The Laws

A number of laws are in force in the Republic of Korea which enable people to be detained for the non-violent exercise of their right to freedom of expression and association. Political prisoners are detained under provisions of the following laws:

- **the Anti-Communist Law, 1961;**
- **the National Security Law, 1960;**
- the Criminal Code, Articles 87, 90, 98 and 104(2);
- the Law on Assemblies and Demonstrations;
- the Special Law on National Defence and Security;
- the Public Security Law, 1975.

They have also been detained under Presidential Emergency Regulations and Martial Law Regulations provided for by the constitution.

Some political prisoners have been charged under two or more of these legal provisions and have later been sentenced without knowing under which provisions they had been convicted.

Arrest and trial procedures are laid down in the Code of Criminal Procedure and in the Code of Military Procedure but the legal rights of political prisoners to a fair and speedy trial and to constitutional protection from torture and ill-treatment have often been violated.

The Constitution of the Republic of Korea, promulgated on 27 October 1980, guarantees the following fundamental rights: *habeas corpus* (Article 11(3)); exclusion of coerced confessions from evidence (Article11(6)); freedom of residence (Article 13); of occupation (Article 14); of correspondence (Article 17); the right not to suffer for the misdeeds of a relative (Article 12(3)); the right to be presumed innocent until found guilty (Article 26(4)).

In addition, Article 35(1) provides that rights of citizens shall not be neglected because they are not enumerated in the constitution. These rights may constitutionally be restricted "only when necessary for national security, the maintenance of law and order or for public welfare", according to Article 35(2), adding: "Even when such restriction is imposed, no essential aspect of the freedom or right shall be violated".

The Anti-Communist Law, 1961 (as Amended)

The Anti-Communist Law (ACL) aims"... to strengthen the anti-communist posture, which is the primary objective of the national reconstruction tasks; to block the activities of the communist organizations that endanger the national security, so the safety of the state and freedom of the people may be secured." Article 4(1) provides a maximum sentence of seven years' imprisonment for those who aid, benefit, communicate with or travel to the "anti-state organization" (that is, North Korea).

Widely interpreted, any dissent is capable of being characterized as benefiting an anti-state organization and is therefore, in terms of the ACL, illegal. For instance, Amnesty International has adopted people imprisoned for violations of the ACL because they:

- published an essay arguing that the death sentence was morally indefensible;
- alleged that the current government had neglected the rights of the poor and underprivileged;
- stated publicly that torture was used to extract false confessions from individuals under interrogation by the Korean Central Intelligence Agency (KCIA);
- reported allegations of military brutality during clashes between troops and demonstrators in Kwangju in May 1980.

Article 9(2) provides that the sentence of death can be passed on those convicted under this law who have previously been convicted under the ACL, the National Security Law and certain articles of the Criminal Code.

Conviction under the ACL carried serious consequences for offenders and often for their families as well. Because of the high level of anti-communist propaganda in the country, members of the family of a suspect accused of ACL violations often find themselves shunned by the local community; even suspects acquitted of charges brought under the ACL are likely to lose their jobs. When 648 former political offenders had their civil and political rights restored in February 1980, former violators of the ACL and the NSL were excluded. The ACL was abolished in January 1981. Clauses banning activities which are considered to support the People's Democratic Republic of Korea have been transferred to the National Security Law.

The National Security Law, 1960

The National Security Law (NSL) provides for penalties of at least five years' imprisonment for activities related to an "anti-state organization". The latter is described as an association or group whose aim is to assume a "title of the government" or "disturb the state". Among the offences punished under the NSL are participation in the formation of an "anti-state organization", voluntary or paid work for the organization or failure to inform the police of its activities. People convicted of leading such organizations face the death sentence, life imprisonment or imprisonment for not less than five years.

The Criminal Code, Articles 87, 90, 98 and 104(2)

Articles 87 to 91 of the Criminal Code (CC) deal with offences of "creating disorder for the purposes of usurping the national territory or subverting the constitution".

Article 87 provides for imprisonment for not more than five years for a person who "merely responds to the agitation and follows the lead of another or merely joins in the disorder". Convicted participants in or leaders of such disorders face a term of imprisonment of not less than five years or the death sentence.

Article 90 deals with the preparation of or propaganda relating to a planned disorder as defined in Article 87 and provides for imprisonment of not less than three years.

Article 98 deals with "espionage" and provides for from a minimum of seven years' to life imprisonment.

Article 104(2), promulgated in March 1975 and subsequently inserted in the code, provides for up to seven years' imprisonment for those convicted of slandering or defaming the Republic of Korea or its state organizations from abroad or at home with the help of foreigners or foreign organizations.

Political prisoners have usually been charged with offences under two or more of the preceding laws.

The Korea Christian Academy Case

Six staff members of the Korea Christian Academy—an institute which runs an educational program for labourers, farm workers and women—and a professor who worked with the academy, were arrested in March 1979. They were charged on 4 May 1979 under the ACL and NSL with forming a "pro-communist group" because they had allegedly listened to North Korean radio broadcasts; possessed Marxist-Leninist books published in North Korea; had tried to "organize a base involving peasants, workers, youths, students and women and spread the secret cell with the aim of building a socialist state in South Korea".

By 20 April 1979, only three of the accused had been allowed access to their lawyers. None was allowed to see family members until 12 May 1979.

During the trial, which started on 14 July, all defendants stated they had been tortured in order to compel them to sign confessions. The complaints included prolonged beatings, burning with cigarettes, threats of execution and deprivation of sleep. Because of these complaints, the judge dismissed the evidence obtained during interrogation but found all seven guilty on other evidence and sentenced them to between one and a half and seven years' imprisonment.

In January 1980, the Seoul Criminal Court of Appeal ruled that the accusation relating to the formation of an illegal organization was not well-founded and dismissed the charges under the NSL. It reduced five of the sentences and acquitted two of the defendants; two of the five later had their sentences suspended and were released. Amnesty International is still appealing for the immediate and unconditional release of:

LEE Woo-jae, aged 44, the principal defendant in the case, who is now serving a five-year sentence. A veterinary surgeon and economics graduate, he was the Director of the Rural Program of the Korea Christian Academy and was mainly responsible for its educational program for farmers.

HAM Myung-sook, aged 36, a staff member of the women's affairs section of the academy, who is now serving a 30-month sentence. The Presiding Judge, when ruling on her appeal, found her guilty of copying the *Chosun Women's Reader* and of distributing it to others.

CHANG Sang-hwan, aged 29, a member of staff of the rural communities affairs section of the academy, who is now serving a two-year sentence. When ruling on Chang Sang-hwan's appeal, the Presiding Judge found him guilty of having shown to several people notes on the *Studies in Modern Thought*, published by the USSR Academy of Science.

Espionage

Amnesty International has investigated a number of case of political prisoners charged with "espionage" under the Criminal Code because it believes that in many cases the charges were not proved by the prosecution and may have been used to imprison people

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who had expressed views critical of the government. In most "espionage" cases known to Amnesty International people were convicted on the strength of confessions made under duress.

CHI Jung-kwan, aged 50, a South Korean press photographer resident in Japan, was arrested on 31 March 1979. He was tried with seven others, including IM Tong-kyu, on 8 October 1979, by Seoul District Criminal Court for violations of ACL, NSL and articles of the CC. He was sentenced to 15 years' imprisonment for "espionage", the gravest of the offences he was reportedly convicted of. In his defence, Chi Jung-kwan pointed out that the photographs he took of South Korean military equipment were taken at a military parade and that their publication did not amount to divulging military secrets.

He is also believed to have been charged with publishing an article on his meeting with the wife of the then imprisoned poet KIM Chi-ha, an activity classed by the authorities as detrimental to the country.

In February 1980, the Appeal Court reduced his sentence to seven years' imprisonment.

KANG Jyon-hon, aged 29, a South Korean resident in Japan, was a medical student at Seoul National University when he was arrested in November 1975. He was sentenced to death on 7 July 1976 for "espionage" activities. His sentence was confirmed by Seoul High Court in November 1977. The Supreme Court rejected his request for retrial, and confirmed his sentence in September 1980. He may be executed as soon as the death sentence is confirmed by the President.

Kang Jyon-hon was charged with violations of the NSL, ACL and articles of the CC. He was accused of having visited North Korea in 1973; of having been recruited by the North Korea Labour Party and given espionage training; of having supplied pro-communist agents with information detrimental to the Republic of Korea; of having organized an illegal student group in order to instigate anti-government demonstrations.

In his appeal against his death sentence, he explained how, through his education in Japan, he became interested in comparing the two Koreas and had read books on communism. He argued that in his discussions with South Korean students his purpose was not to pass on to them information he had had access to in Japan and which was censored from the South Korean press. As for supplying North Korean agents with reports on the Republic of Korea, he argued that he had no access to "secret" information. He admitted having been in touch with members of a pro-North Korean organization in Japan, but denied that he had supplied them with reports on the Republic of Korea. His meetings with them, he said, were motivated by an academic interest in North Korea.

At his trial, Kang Jyon-hon stated that his confession to the charges against him had been obtained under torture. The Tokyo Bar Association collected information which is said proved that he had been in Japan at the time the South Korean authorities alleged he was in North Korea. This evidence was submitted to the South Korean courts as grounds for a retrial, but was rejected.

Amnesty International has reviewed all the available information and concluded that there are not sufficient grounds for accepting the ruling of the South Korean courts that Kang Jyon-hon committed the offences he was convicted of, and that there are stronger grounds to believe that he was wrongly convicted and was detained because of his beliefs.

The case of KIM Dae-jung and 23 others

Kim Dae-jung and 23 people accused with him were arrested after full martial law was imposed on 17 May 1980. They were held incommunicado until just before their trial began on 14 August before a military tribunal.

Kim Dae-jung was charged under the NSL, ACL, CC, the Foreign Exchange Control Law and Martial Law Regulations (MLR); 12 of his co-defendants were charged with violations of the MLR and CC; the others were charged with violations of the MLR alone.

On 4 July the Martial Law Command issued a report on the investigation entitled "The Results of the Investigation of the Case of Kim Dae-jung's Sedition Plot", which appeared in full in the government-controlled *Korea Herald*, headlined "Kim Dae-jung Masterminds Kwangju Riot". It asserted that the 23 co-defendants and a number of other people were in a conspiracy organized by Kim Dae-jung "to provoke a bloody mass revolution" so that he could seize power. Kim Dae-jung was accused of being the organizational and financial force behind the student demonstrations before 17 May and the Kwangju disturbances, which began on 19 May.

The trial began with a six-hour reading of the 136-page indictment. Several of the defendants stated that they had not yet had an opportunity to choose lawyers. The court told them that they would still have this opportunity. In a joint statement, relatives of the prisoners said they had been unable to obtain legal counsel of their choice and that lawyers normally handling civil rights cases had been taken into custody. A few days before the trial opened the authorities had tried to force the relatives to select lawyers but they had refused to do so.

On the third day of the trial, Kim Dae-jung told the court that he did not believe in violence; he categorically rejected prosecution allegations that he had tried to cause student disturbances in order to overthrow the government. He said he had been kept in an underground room and questioned continuously. 15 hours a day for 60 days until "I signed some document against my will. Sometimes I was stripped from my clothes and brought to the very point of torture".

The prosecution alleged that Kim Dae-jung had helped found an "anti-state organization" while in Japan in 1973; that he had remained in contact with members of this organization; that he had financed and instigated student disturbances in Kwangju in May 1980 in an attempt to overthrow the government and seize power. His co-defendants and a number of other people were accused of helping him. On 17 September the Military Tribunal sentenced Kim Dae-jung to death and the other defendants to between two and 20 years' imprisonment. It has not yet been disclosed on which of the charges Kim Dae-jung was sentenced to death.

After the sentence had been announced, Amnesty International wrote to the South Korean authorities expressing its concern that the Military Tribunal had arrived at its verdict after what appeared to have been an inadequate examination of the facts and the evidence.

During the Appeal Court hearing, the defence was again not permitted to challenge the testimony of a prosecution witness reportedly extracted under duress, as well as that of a person who had confessed to being a North Korean spy.

On 3 November, a Military Court of Appeal upheld the death sentence on Kim Dae-jung. The decision was confirmed a few days later by the Martial Law Commander and by the Supreme Court on 23 January 1981. Immediately afterwards it was commuted to life imprisonment by the President. Terms of imprisonment for 11 of his co-defendants were reduced at the same time; eight had been released in November and December 1980.

Amnesty International has welcomed the reduction in the sentences and has appealed for the unconditional release of Kim Dae-jung and his co-defendants. It has adopted all of them as prisoners of conscience and has repeatedly expressed its concern to the South Korean Government that they were sentenced by a court which failed to examine thoroughly the validity of the evidence against the defendants and that they did not allow them to present a full and adequate defence.

number of offences under the Military Penal Code, including insurrection, aiding the enemy, espionage and desertion of a guard post.

Imposition of the death penalty is discretionary for a number of political offences and the following offenders may be punished by death:

- an agent of an "anti-state organization" who infiltrates the Republic of Korea on the directive of the "anti-state organization" (Article 6(3) of the Anti-Communist Law (ACL));
- the ring-leader and leaders of an "anti-state organization" in this case a group whose aim is to assume a "title of the government" or to "disturb the state" (Article 1(2) of the National Security Law (NSL));
- the ring-leaders and leaders of and participants in crimes of insurrection—offences of creating disorder for the purpose of usurping the national territory or subverting the constitution (Article 87 of the Criminal Code).

Both the ACL and NSL provide for the execution of people previously sentenced under these laws or under the Criminal Code for insurrection, espionage or aiding the enemy.

The death penalty may also be imposed for the offences of using explosives and thereby causing injury, damaging property or disturbing the public peace (Article 119, CC), causing death by arson (Article 164, Criminal Code) or damaging means of transport (Article 188 of the code).

Other Criminal Code offences carrying the death penalty are murder, using force or fraudulent means to induce another person to commit suicide (Article 253); murder while committing robbery or piracy (Articles 338 and 340); rape whilst committing piracy. A law was passed in March 1977 which banned trafficking in marijuana and specified penalties ranging from 10 years' imprisonment to death.

The Code of Criminal Procedure lays down the procedures for appeals against death sentences. They may be lodged by the prosecutor and by the defendant, first in a higher court and then in the Supreme Court. The Supreme Court review all sentences, including those passed by Martial Law Courts. No limit of time is set for the Supreme Court to give its decision.

According to Article 54 of the Constitution of the Republic of Korea (1980), the President may declare an amnesty and commute sentences.

In 1975 eight defendants were unlawfully hanged the morning after the Supreme Court's judgement and were denied their constitutional right to petition the President for clemency or file a request for retrial. They had been convicted on 9 April 1975 after a trial *in camera* and without adequate rights for the defence on political charges that an Amnesty International mission to the Republic of Korea (27 March-9 April 1975) concluded to have been fabricated.

This speed in proceeding with execution is unusual. Most prisoners under sentence of death wait several years before a final decision is taken to commute the sentence or carry out the execution.

Recent and current death penalty cases

A number of death sentences have been passed over the past year by South Korean courts and some of the defendants have been executed.

On 6 March 1980, Colonel **PARK Jung-ju**, found guilty in December 1979 of involvement in the shooting of the bodyguard of President PARK on 26 October 1980 after the President's assassination, was executed by firing squad. As an active officer, Colonel Park Jung-ju had not been allowed to appeal to a higher court. His death sentence was confirmed by the Martial Law Commander.

On 24 May 1980, **KIM Jae-kyu**, former director of the Korean Central Intelligence Agency (KCIA) and four KCIA guards, **PARK Sun-ho, LEE Ki-ju, YU Sung-ok, KIM Tae-won**, were executed by hanging. They had been convicted by a court-martial in December 1979 of assassinating President Park. All were executed after their sentences had been confirmed by the Supreme Court and the President.

Five people were sentenced to death on 25 October 1980 after a trial *in camera* of 390 people by a military tribunal at an army base outside Kwangju, on charges related to the violent disturbances in the city the previous May. Two sentences were commuted to life imprisonment on 31 December 1980. The three still under sentence of death are: CHUNG Dong-nyon, 37, a student whose testimony, obtained during interrogation, was used against Kim Dae-jung (he is reported to have tried to commit suicide during interrogation); **PARK No-jon**, 28, a printer, and **PAE Yong-ju**, 34, a taxi-driver. Their death sentences have still to be confirmed by the Supreme Court.

Defence lawyers were reportedly not allowed to take up the case of the 390 defendants individually but had to provide defence counsel for them collectively. They were permitted to meet their clients for the first time only at the start of the trial session and were reportedly not permitted to consult freely with them.

Five Koreans normally resident in Japan were tried separately between 1974 and 1977. Each was sentenced to death upon being convicted of having visited North Korea for espionage training and having then travelled to the Republic of Korea. All are reported to have been tortured and forced to sign confessions admitting the charges against them. It is believed they were all charged under the NSL, ACL and CC in connection with espionage. The Tokyo Bar Association and friends of the prisoners have collected information which indicated that they were actually in Japan at the time the courts found that they were travelling to North Korea for training.

The authorities refused an application for retrial in July 1980 to consider evidence not available at the original trial. The five are being held in Seoul Sudaemoon Prison and are reportedly held in manacles. In August 1979, LEE Chul, another Korean normally resident in Japan and convicted of espionage, had his death sentence commuted by presidential amnesty.

Choi Chul-kyo, 49, who runs a business, was sentenced to death on 21 October 1974 after being convicted of espionage activities. His death sentence was confirmed by an appeal court on 28 February 1975 and by the Supreme Court in September 1980.

Kang Jong-hon, 29, a medical student at Seoul National University, was sentenced to death for alleged espionage activities on 7 July 1976. His death sentence was confirmed by Seoul High Court in November 1977. The Supreme Court rejected his request for retrial in July 1980 and confirmed his death sentence in September 1980.

The following three political prisoners, former Koreans resident in Japan and sentenced to death on charges involving espionage, are in the process of appealing to the Supreme Court against their death sentences:

PAIK Ok-kwan, 32, Secretary General of the Osaka Korean Junior Chamber of Commerce. He was sentenced to death on 30 April 1976 and his first appeal dismissed on 31 August 1976.

KANG Woo-kyu, 63, the owner of a restaurant in Japan, was sentenced to death on 24 March 1977.

CHIN Du-hyon, 52, Vice-President of Tokyo Headquarters of Mindan (a pro-South Korean) organization of Koreans in Japan), was sentenced to death on 1 April 1975. His sentence was confirmed on appeal on 18 September 1975.

In addition to the case described above, Amnesty International has appealed for commutation of the death sentences on the following prisoners:

PARK Moo-jae, 56, a cigarette vendor from Pusan, sentenced to death by Seoul District Criminal Court on 23 October 1979 under the ACL for attempting to defect to North Korea.

KIM Sam-yon, 45, sentenced to death by Seoul District Criminal Court on 26 November 1979. He had been accused of leading an espionage network for North Korea. Kim Sam-yon has been in prison since September 1969, when he was convicted under the ACL for alleged "subversive activities" and visiting North Korea in 1961.

PARK Chol-ung, 39, sentenced to death on 20 February 1980 by Seoul District Criminal Court. He had been convicted of murder and robbery.

CHOI Jom-sun, 35, convicted of murder; she was sentenced to death in June 1980.

HAN Ki-cho, 43, sentenced to death at the beginning of October 1980 by Seoul District Criminal Court; he had been convicted of murder.

(Continued on page 7)

The Death Penalty

Legislation

The death penalty is specified by the laws of the Republic of Korea for a wide range of offences. It is mandatory for the offence of taking up arms against the Republic of Korea by joining forces of an enemy country (Article 93 of the Criminal Code) and for a large

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LEE Yang-fil, 27, sentenced to death in June 1979 for murder. The Supreme Court confirmed his sentence on 25 June 1980.

LEE Jae-mun, 45, a journalist, and SHIN Hyang-shik, 45, both sentenced to death as "ring-leaders" in the SKNLF case.

Torture Testimonies

Although torture is prohibited by the South Korean constitution of 1980, Amnesty International is nevertheless concerned that in some cases political prisoners have been tortured during interrogation to force them to sign false statements.

The following cases illustrate reports of ill-treatment carried out between 1974 and 1980. Except where the cases have been publicized in the past, the victims' names are not given for their own protection; in some cases dates and places have also been omitted to prevent identification.

The first three statements were made by people arrested in 1974 under Emergency Regulations Nos. 1 and 4, promulgated in January and April 1974. Several hundred people were arrested in those months; many were released by a presidential amnesty in February 1975 but Amnesty International is still appealing for the release of 16 people arrested in April 1974 and accused of being members of the "People's Revolutionary Party".

'People's Revolutionary Party' case

- "I was taken to . . . Korean Police Station on . . . April 1974 from where I was taken to the Central Intelligence Agency (KCIA) where I was interrogated in three different rooms. I was viciously beaten.

"Around . . . April at about 6 pm I was again taken to an interrogation room at the KCIA where two KCIA agents and two or three policemen administered water torture. First I was forced to kneel down on the cement floor, where I was beaten with the side slat of an army cot, while they threatened me. They said 'You know Professor Choi Jong-kil died at KCIA headquarters? Not a rat or a bird told a soul. Nobody said a word. You know you could die, we could dispose of your body and that would be the end of it. You didn't know the KCIA was such a frightening place, did you? When I heard that, I felt in my whole body I was about to die.

"Next they stripped me, bound my wrists and ankles, forced the stick they had beaten me with between my wrists and ankles, hung me upside down from the ceiling, and forced water into my mouth. While they were doing this they ordered me to admit to what they would say. These were that . . . was the power behind what I did; that I received my instructions from North Korean broadcasts regularly; that I had been to North Korea; that . . . had been to North Korea; that we were planning to overthrow the government by force.

"They continued pouring water over my whole body and into my nose and mouth. Then handling my private parts, they said they would do something to me. It reminded me that I had heard that a girl from Ehwa (University) the year before had been raped at the KCIA. I felt that they weren't people doing this . . . but rather animals so I didn't feel any shame at all.

"After a time they let me down and ordered me to put my thumb print on the 'confession' they had written. When I refused, the process began again, and again . . . until at last I could take no more and agreed."

- **Ha Jae-won.** He was arrested in April 1974 and tried as an alleged member of the "People's Revolutionary Party".

He was executed on 9 April 1975.

"I was forced to give the names of 20 people whom I knew, and then I was forced to put my thumbprint to a statement written by the KCIA and which I did not even have the opportunity to read. The authorities arrested the 20 people who were not guilty. They were sentenced to from 15 to 20 years' in prison.

"After the first session of the prosecutor on 27 May in KCIA headquarters, I had to write down what was dictated to me by the agent. This statement was extracted under torture and threats from 29 May to 8 June. It was under these conditions that the statement was written. The 32 items which appeared in the indictment of 9 June were taken from this statement.

"On 28 April I suffered a hernia as the result of torture. I also suffered a prolapsus of the anus and an abscess of the lungs for the same reason. The investigation was continued nonetheless."

- "I was taken to KCIA headquarters . . . where I was kept awake for days. If my head nodded, I was hit on the back of the neck. This went on for so long that my feet and ankles became very swollen. When I refused to admit what they accused me of they said I was lying, stripped me and beat me.

"In prison at night I would be so fearful that the sound of the guards' footsteps would put me in a frenzy; my heart would beat in my throat for fear that he would stop in front of my cell, which would mean that I would be taken back to the KCIA. I knew that if I went back to the KCIA it would mean that I would be kept there from one to four days and that I would be subjected to water torture and also beatings.

"I still refused to admit what they demanded, and during [date deleted] I was tortured by electric shock. It was also during this time that I realized how fearful a thing the dictatorship really is. I could not even have dreamt how cruelly they would torture. I am making this known in order that such a thing may never be able to happen again."

Korea Christian Academy case, 1979

The judge in the case dismissed the testimony obtained by the KCIA and the prosecutor during interrogation because of the defendants' allegation of togure—but he found all seven guilty on other evidence. The following excerpts are from the court testimony of two of the defendants:

"They hit me with a bat; after placing a stick behind my knees, and making me get down on my knees, they stepped on my thighs. They said 'Even a well-trained spy from North Korea will confess when we do this.' When the stick was broken, they brought another to continue this. They burned my back with lighted cigarettes, and hit my chest so hard with their fists that I could hardly breath. I still cannot touch my chest even slightly without pain. When I walk, I feel pins and needles in my left leg.

"In the prison cell I had to lie down all day long for two months. They said, "This is nothing but the introductory exercise. You can test the limit of your spiritual and physical patience when you are taken to the basement, where there are all kinds of torture instruments from ancient times to the modern age." More than 15 days passed under the torture . . . "

"He sat me on a chair, covered my eyes with a blindfold, then put a pistol to my chest and I heard the sound of it being loaded. I could endure everything till then. But when they said 'You are not the only one that'll be killed by us; all your family will be killed by a deliberate traffic accident in the street', the mere imagination of the scene shocked me greatly and scared me. I was terrified. I made strenuous efforts to withstand this . . . but the pain was beyond description."

Young Women's Christian Association case, November 1979

For details of the case, see page 19. The following three reports of accounts by prisoners of the process of investigation were received by Amnesty International.

- A man who was held for seven days stated that he was taken to Suh Bingo, the investigation office of the Army Security Command, on [date deleted]. As soon as he arrived, before investigation, he was taken to a prison basement cell. He was told to take off his clothes and was kicked twice on the knee. He was given prison uniform. Five minutes later four people in military uniform and two in military working clothes entered his cell saying "Bastard! On your knees!". They kicked him on his knees, shoulder and neck. He collapsed after counting to 60. He was told to lie down and to lift his legs and was beaten 15 times on the soles of his feet with a heavy stick. Again he was told to kneel; his knees, shoulders and arms were trampled on; he was kicked in the neck and hit on the buttocks with a police baton. When the investigation started, he was sworn at.

- A man held for 13 days stated that he was forced to kneel and was pulled along the floor by his hair over sharp objects so that his knees were cut. He was taken to the shower room and water from the shower was poured into his mouth and nose until he could no longer breathe.

- A man held for seven days stated that at the military investigation office he was made to sit and stand repeatedly. He was told to stand on his head with hands held behind his back. Each time he fell over he was beaten. A stick was put behind his knees while he was kneeling. He was made to arch on his hands and feet and beaten one hundred times on his buttocks. He was made to hang from the bars of the prison cell and was beaten each time he fell. He was made to cling to the bars with his feet extended through the bars, and beaten; to stand facing the wall, with his arms and legs outstretched against the wall and his throat touching the wall. He was beaten on the palms of his hands dozens of times and also on his back and shoulders with a thick stick. He was not allowed to sleep. He was made to stand with his back to the wall, hands above his head and palms to the wall, then told to step forward, and left to stand in that position. He was threatened with further torture. When he was released he was required to sign a statement saying he would not reveal what had happened.

Amnesty International is concerned about the current state of health of a man arrested after the YWCA meeting who is reliably reported to have been severely beaten while held at the Army Security Command after his arrest on 27 November 1979. He was tried by court martial in January 1980 and sentenced to 18 months' imprisonment for violation of the Martial Law Regulations. On 13 May 1980 he was moved to Hanyang University Hospital; later he was allowed home. In August 1980 Amnesty International was told that students who had been arrested in May and June had been repeatedly threatened during interrogation, "You will end up like [the man cited above]." In December 1980 it was said that he was slowly responding to medical treatment at home and was "recovering his memory".

Amnesty International has received reports alleging ill-treatment during interrogation of prisoners arrested after 17 May 1980. The allegations include; hanging people upside down and pouring water into their nostrils, severe beatings; sleep deprivation; confinement in a small space lit by a 300-watt bulb.

Among those who have alleged ill-treatment are KIM Dae-jung and a number of his 23 co-defendants in the military tribunal trial of August 1980. The full details of their treatment during interrogation are still not known.

Amnesty Inernational has also received allegations of extreme ill-treatment of suspects held in connection with the violent disturbances in Kwangju. According to these allegations:

- on 16 July 1980 eight people under investigation were beaten to death by Special Forces troops and their bodies buried in the prison grounds.
- four prisoners formed a suicide pact rather than be tortured and one of them succeeded in committing suicide;
- a student, accused of leading the "rebellion", was severely beaten and, while being held in the Kwangju Army Hospital for treatment of the injuries sustained during interrogation, attempted to kill himself by slashing an artery and his stomach;
- a student was severely beaten and hit on the head with an M-16 rifle butt, had two teeth broken and lost consciousness three times;
- a man had his fingernails punctured with a drill until the nails were torn off — he was repeatedly stabbed in the back with the drill and beaten until some of his teeth fell out.
- an elderly lawyer was continuously interrogated for 48 hours wearing only his briefs, he was allowed hardly any sleep for 38 days and told that members of his family and staff has been arrested;
- another student sustained severe damage to his spinal cord while being beaten. He was transferred to the Army General Hospital in Kwangju and was given pain-killers continuously. He is reported to be unable to speak and to be severely mentally disturbed. The indictment against him has been dropped for the present, but in December 1980 his family's request to have him released was refused. He is reported to be in the hospital's intensive care unit.

The Next Step

The first step in trying to ensure the protection of human rights in any country is to get information about how people are being treated by the authorities there, taking care that the information is accurate and complete and that it is not politically biased or distorted. Amnesty International has been collecting information on The Republic of Korea since the early 1970s and has issued a number of documents listing its findings. For instance, in March 1975 it sent a mission there to investigate human rights violations; the findings were published in the *Report of an Amnesty International Mission to the Republic of Korea, 27 March-9 April 1975* and included reports of prisoners being tortured detention without charge and the systematic harassment of people by law enforcement agencies.

The next step is to act on the information available by mobilizing international public opinion in defence of the victims. International publicity may well be their only hope of protection. In some cases world attention has saved lives. The single most important need, therefore, is to make people aware of what is happening.

What you can do

1. Write to the President of the Republic of Korea appealing for the release of prisoners of conscience and the commutation of death sentences and urging investigations into allegations of prisoners being ill-treated and tortured. Address your appeals to: President Chun Doo-hwan, the Blue House, Chongno-gu, Seoul, Republic of Korea.
2. Address similar appeals to the Foreign Minister. You can point out that although you are living in another country, you are concerned when the human rights of people anywhere in the world are violated. Stress that you do not oppose any government or political system but that you do oppose all human rights abuses. Address your appeals to: The Foreign Minister, Ministry of Foreign Affairs, 1 Sejong-no, Chongno-gu, Seoul, Republic of Korea.
3. If there is a Republic of Korea Embassy in the capital of your country, send similar letters to the Republic of Korea Ambassador.
4. Try to help mobilize public opinion in your country. Send letters to newspaper editors asking them to publicize what is happening in the Republic of Korea; if possible, send them a copy of this publication.
5. Share this report with other people you feel ought to know about the facts in it. Discuss it with your family and friends, encourage them to express their concern by writing appeals.
6. For other information about Amnesty International's work on the Republic of Korea and other countries where human rights are violated, look in your telephone directory for your national section or local Amnesty International group, or contact the International Secretariat in London at: 10 Southampton Street, London WC2E 7HF, United Kingdom. You can also make a donation to support the work.

Seoul Univ. Student Declaration of Anti-Fascist Campaign

EDITOR'S NOTE: On Dec. 11 last year, about 400 students of Seoul National University staged a well-organized on-campus anti-"government" protest. They issued a "Student Declaration of the Anti-Fascist Campaign." The declaration gave an in-depth analysis of the present south Korean situation. Its followup was Mar. 19 demonstration of the same university, involving 1,000–2,000 students. Here is a full text of the declaration:

We dedicate this declaration to the souls of more than 2,000 people in Kwangju who martyred for democracy and reunification against Gen. Chon Du Hwan, the truculent murderer, who outdistances Pahlavi and Somoza. Their souls now shine as an eternal beacon of all the fellow countrymen.

Is the democracy of this land dead? Has the democratic spirit been repressed with the physical crackdown by a handful of anti-democratic fascist ruling forces and as a result of an organized propaganda of the fascist press? Will the struggle forces accumulated with great difficulty break up? Are they still left at the mercy of a whirlpool between revolutionary fever and reactionary oppression, not knowing where to go?

Now, history requires us to make a soul-searching review of our past struggles and work out our own position in response to the changing situation. The question is not our fighting capability but is how to deliver a fatal blow to the enemy. To this end, we find it necessary to share the following understanding:

FIRSTLY, who is our enemy and what is his nature?

Our obvious enemy is the comprador ruling forces at home: monopoly capital, the bureaucrats and the military. (South) Korea's political history can be described as a history of changes of power among those three comprador groups. A period from Oct. 26 affair to the May 17 incident is another process of changing power equation. We must remember that the three groups form a single enemy all the times and we must no longer seek a solution in their infightings.

The United States, sensing a brewing crisis in the people's struggles characteristic of '70s, took a preventive step called the Oct. 26 incident, reorganized the south Korean ruling system and now backs a new fascist regime. How much longer will the United States remain an eternal ally of ours? Japan, a proxy of the United States, cannot but become a target of our struggle unless she is more attentive to what the (south) Korean masses' true demand is.

SECONDLY, what kind of plots is the enemy hatching to protect his vested rights?

Historically speaking, any regime emerged by throwing cold water on people's revolutionary fever, has fatal built-in contradictions. The contradictions are between two opposing demands, namely, to reconcile the need to preserve and strengthen the basic production relationships which reproduce the vested rights and the need to accept the growing demand of the people even partially and superficially. Herein lies the most serious vulnerability of a reactionary regime, which is in turn the most important advantage to our struggle.

From the economic standpoint, after the economic development plans, the character of capital itself has been changed with the existing reproduction structure left intact. As the current reorganization of heavy industry indicates, (south) Korean capital, once characterized as a combination of relatively independent 10 groups, being transformed into an integrated state capital. This is a major policy decision intended to stop heated inter-group competition, increase international competitiveness, and streamline complex subjugation relations with foreign capital, thereby overcoming the present economic crisis. However, state capitalization is the enemy's last resort with the built-in contradictions overgrown.

Therefore, we must not overlook such economic strategy and its self-destructive contradictions. The concentration of capital into state capital provokes a sweeping collapse of the middle-class capitalists and causes an extensive exploitatin of labour. With it will come a sharpening bipolar division of the society, which will isolate the enemy and rock his material position to the foundations. This is a revolutionary path to people's victory.

Politics is an intensive manifestation of the economy. The political look of state monopoly capitalism is fascism. Fascism is anextremely violent political force based materially on state monopoly capital and ideologically on the sense of fear shared by the middle class without a material basis. The first evidence is that the present military, on the top the ruling quarters, reigns with bayonets, as violence and deceite are its basic policies. The second is that mass media which have undergone a realignment serve the obsessing fear.

But the fundamental character of the reactionary regime is contradictory. A hard fact of life is that a total denial of the basic right to existence and the fervent desire of the people for political and economic democracy cannot such regime of a minimum facade of legitimacy. The so-called words "democracy", "justice" and "welfare" reflect the desires of the people despite their apparent emptiness. But the enemy cannot totally deny their contents. How can the comprador fascist military regime, which is not democratic and, just, and has nothing to do with people's welfare, and in particular not national, live up to this expectations?

THIRDLY, what should we learn from the May struggle?

What is the ultimate task of our movement? It is to establish a popular-oriented society. To be more specific, the workers, peasants and other working people, denied their basic right to existence by the exploiter system, join the progressive vanguard intellectuals in forming an organized fighting force whereby to eliminate completely all the foreign forces and their local ally the comprador forces, entrenched in this land, remove all the divisive factors and achieve the reunification of the nation and the people. In other words, it means a victorious completion of our great popular struggle. To that goal we must walk a long arduous way, a duty devolving on our people. In the process of implementing this gigantic task it is necessary to view the eventful period from the latter half of '79 to the beginning of '80. For the ruling quarters, the dawn of 1980 meant the reinforcement of their ruling system, while those out of government viewed it as an opportunity to grab power. With the beginning of '80 came our chance of laying groundwork for democratic institutions and constitutional government. Nevertheless, that basic objective eluded us in the concrete process of our struggle for the three reasons:

(1) we failed to grasp correctly the nature and state of the enemy; (2) the excesses of formalistic democracy were not alleviated at all in practice with the result that the masses of people decisively alienated themselves from us; (3) the student masses failed to give full play to their optimum potential a proof of limits to the ideas and fighting capacity of the student movement in '70s.

What was undemocratic and irresponsible about the movements of '70s as a whole manifested itself in the defeat of the Kwangju struggle and in the successful May 17 coup. The Kwangju resistance was in itself a declaration of blood by our masses concerning the whole of the movement of '70s that it would be almost impossible to defeat the present enemy in the absence of a popular force organized by a leadership capable of credibly leading a struggle in a way fit to rapidly-changing circumstances.

FOURTHLY, how should we fight?

Both in the May 17 coup and the Kwangju Massacre the enemy betrayed his nature as a natural bloody foe of our people and as an object to be overthrown. Hence, our struggle will be a full-dress anti-fascist campaign by a broad-based popular alliance against the comprador fascist ruling forces.

The mainstay of this campaign must be the working people, pillars of a future reunified nation-state. Only under their leadership will the anti-fascist struggle be assured of success. A problem is, however, that our working people lack such lead role. A great trouble is that the enemy has converted the government into a machine of violence and is fully prepared to strike back. Bills on assembly and demonstration and on social custody are typical of his preparations. With the organization of our working masses into a fighting force delayed and complicated due to a series of contradictions, who should take over the leadership of the present struggle assigned by history? That dynamo must be provided by the student movement, the sole organized force at present, and by no one else. At the present juncture, the student movement should raise itself into a leading component in driving the whole spectrum of the anti-fascist struggle. It should no longer remain a mere factor in sporadic fights.

Such historic needs make it imperative for the student movement to expand in quantity and improve in quality.

(1) Essential are a correct understanding of the working people and an improved fighting capability of coordinating a struggle with them. What must underlie these qualities are an in-depth analysis of (south) Korea's economic contradictions and its corroboration.

(2) An endless growth must be made in the student movement in terms of quantity and quality. All potential energy must be mobilized in a coordinated manner for an attack on the enemy.

(3) No respite will be possible in the struggle. A campaign must be kept up without letup, with potential expanded and improved. All student masses must remain alert and combat-ready all the time regardless of a change in the environment.

(4) The concept that a demonstration is everything must be thrown away. A demonstration must be more effectively organized as far as tactical considerations are concerned. Only then will the student movement be able to respond effectively to the enemy. Therefore, it is an over-riding task to develop all types of tactical elements.

(5) Association with and leadership of the mass movement of the student forces must become more collective and systematic.

This will help the present anti-fascist popular alliance mature ideologically and organizationally.

We extend our belated fervent encouragement to fellow students of Kyonghui, Hanguk Theological, Koryo, Tongguk, Kukmin, Songgyunggwan, Yonse and Sukmyong women's universities who have kept up their unflagging struggles since the May 17 affair. We also express thanks to our patriotic compatriots overseas who strive for the democratization of our homeland and to other people of conscience. We ask for their continuing support. The immediate task of our movement is how to sap and defeat the enemy effectively and with ceaseless attacks and what internal preparations to make to the end. This marks the start of our present struggle and the first step in an in-depth development of the struggle.

Fellow students! Join the anti-fascist campaign for the great victory of our people!

Asukata on Nuclear-Free, Peace Zone Declaration

The Asahi Shimbun, a foremost daily of Tokyo, carried an article in its Mar. 17 issue of Mr. Asukata Ichio, Chairman of the Japan Socialist Party. The article, headlined, "Nuclear-Free, Peace Zone Declaration: Protest against Reactionary Shift," described the purpose of his latest trip to Pyongyang. Mr. Asukata called the DPRK capital "beautiful and modern as any American or European city."

Follows the article:

"The purpose of our Korean visit was firstly to sign a joint declaration of the Japan Socialist Party and the Workers' Party of Korea on the establishment of a Northeast Asian nuclear-free, peace zone and secondly to achieve a unanimity of views on the pressing situation in Asia and the rest of the world and the tasks of our movement. We believe that we have achieved satisfactory results in the pursuit of the two objectives.

The declaration on marking out Northeast Asia as a nuclear-free, peace zone is different in effect from a government-to-government accord, because the Socialist Party is yet to rise to power and because Korea remains yet to be reunified. For all that, the declaration meets the urgent aspirations of the Japanese people and the Korean people and a majority of other Asian peoples. It gives out a clear-cut platform and orientation for all the peace movements today and becomes a source of great inspiration to them.

From this viewpoint, our Party made public joint declarations of a similar effect with Australian and New Zealand Labor Parties, both members of the Socialist International and has endeavored with might and main to preserve the peace of all the countries in the Asian and Pacific region. This time, our Party reached the first positive agreement with a Party of a socialist country. It carries tremendous significance to the history of the world's non-nuclear, peace movements.

The biggest immediate obstacle to the implementation of this declaration is the presence of nuclear-armed foreign troops in the Northeast Asian region. In south Korea there are over 700 nuclear warheads in place. The presence of nuclear units in Japan, for example, Okinawa and Iwakuni, is a matter of concern for the Japanese citizens. Both Japan and south Korea are planning a crash program to expand their armed forces in response to President Reagan's arms expansion policy. This move, coupled with support given to the regime of Gen. Chun Du Hwan, stands in the way of Korea's independent and peaceful reunification and contradicts Japan's Constitution which calls for unarmed peace.

The latest joint declaration raises a clear protest against such reactionary shift, a stiff objection from both the Japanese and Korean people, and proposes a progressive framework for genuine peace and security in the Northeast Asian region. This document is a common asset not only of the Japanese and Korean peoples but also of the peoples in Asia and in the rest of the globe. With this in mind, both Parties exercised maximum attention to the wording of the joint declaration that reflects in a positive way the yearnings shared by the peoples of as many countries as possible.

Needless to say, talks between our delegation and President Kim Il Sung decided the above-said profound agreement and unanimity of views between the two Parties.

On the very day of our arrival in Pyongyang, the President received us and had three rounds of talks, including full-dress talk, an unusual event in the words of an official concerned. That was a measure of the importance he attaches to solidarity with our Party and the Japanese people. In any event, we felt a heartfelt sympathy wih the President for his lofty stance of adhering to independence with success and advocating non-alignment and neutrality, despite the fact that his country is under heavy pressure from the United States, while surrounded by the Soviet Union and China.

Our Korean visit was the first in three years. I found streets of Pyongyang more beautifully arranged in such short span of time. Twenty-story and thirty-story apartment houses are being erected one after another. In another three years, the housing issue is said to be completely solved for this city of 1.5 million. I visited many cities of Western Europe and the United States. No other city is better-designed and more modern.

How could such country as leads a quiet and peaceful life become a "threat"? The earliest possible change should be brought about in the Far Eastern strategy of the Reagan Administration based on groundless misunderstanding and distortion and the Korean policy of the Suzuki Cabinet kowtowing to it. The Korean visit helped me to firm up the resolve to achieve it.

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